



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

APR 14 2011

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

The Honorable Bill Cassidy  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Cassidy:

Thank you for your letter of December 16, 2010, to US Environmental Protection Agency (EPA) Administrator Lisa P. Jackson from your constituent, regarding issues associated with the use of dispersants on the Gulf oil spill. Enclosed is our correspondence sent directly to your constituent.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Carolyn Levine, in EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-1859.

Sincerely;

A handwritten signature in black ink, appearing to read "Mathy Stanislaus", is written over a horizontal line.

Mathy Stanislaus  
Assistant Administrator

Enclosure



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Mr. David Fa-Kouri  
Consultant  
Strategic Consulting Group, LLC  
LA Economic Foundation, Inc.  
16956 South Harrell's Ferry Road  
Baton Rouge, Louisiana 70816

Dear Mr. Fa-Kouri:

Thank you for your letter of December 10, 2010, to U. S. Environmental Protection Agency (EPA) Administrator Lisa P. Jackson, and also transmitted by Congressman Bill Cassidy. You raised several concerns and questions regarding the oil discharged into the Gulf of Mexico from the BP Deepwater Horizon well and the toxicity of the chemical dispersants used on the surface and subsea to address that discharge. You also identified an alternative bioremediation spill treatment product (Oil Spill Eater – II [OSE-II]) that should be used for Gulf remediation.

The application of dispersant is part of a broader environmental response strategy to minimize environmental impacts. Use of any response option involves environmental tradeoffs, and responders carefully consider whether skimming, booming, in situ burning, chemical countermeasures (such as chemical dispersants or bioremediation agents), or some combination of all of these options may be necessary and appropriate to protect sensitive shorelines, water resources, or wildlife. Due to the large scale of the BP oil spill, varying weather and sea conditions, and type of discharge, responders used all of these techniques to minimize the impact of the spill on humans and the environment.

Chemical dispersants, along with mixing energy, break up oil slicks into tiny particles that move into the water column so they may be more readily degraded by existing microorganisms in the water. There is reason to conclude that the oil reportedly found in sediment layers you mentioned is not likely predominantly oil that was chemically dispersed, based on indications that the tiny oil-dispersant mixture droplets are neutrally buoyant and neither sink nor rise but move in all directions with prevailing currents. Nonetheless, more information is needed about the potential long term environmental consequences associated with oil discharges, the use of dispersants, and oil in sediments. EPA is working on the regulatory requirements associated with the authorization and use of dispersants and is initiating research into the fate of the oil and dispersants in the environment. Thousands of air, water and sediment samples were collected and analyzed and more information about this data is available at <http://www.epa.gov/bpspill/>.

You also asked about toxicity information. More information about EPA's toxicity tests on the dispersants and oil may be found at <http://www.epa.gov/bpspill/>.

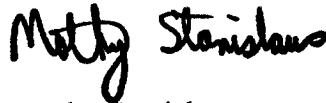
Finally you asked about choice of products used. Under the National Contingency Plan (NCP), an On-Scene Coordinator (OSC) carries the responsibility for directing the response to an oil spill. A Regional Response Team (RRT) provides the appropriate local mechanism for development and coordination of assistance and advice to the OSC during response actions. The RRT consists of representatives of federal and state government; EPA and the U.S. Coast Guard co-chair the RRTs. The RRT is a planning, policy and coordinating body and does not respond directly to the scene. They also provide guidance to Area Committees to ensure inter-area consistency with the NCP and Regional Contingency Plans (RCP). In coordination with Area Committees and in accordance with any applicable laws, regulations, or requirements, RRTs conduct advance planning for the use of dispersants, surface washing and collecting agents, burning agents, bioremediation agents, or other chemical agents in accordance with the regulations under Subpart J of the NCP.

Each RRT uses the Product Schedule in the NCP to determine which technologies and/or specific products they will pre-approve and authorize for use on a specific type of spill. All members of the RRT have equal say on the technologies acceptable for pre-approval given the specific oils in their areas and the habitats, species and environments that the representatives are concerned about. EPA does not direct what technologies and products an RRT must consider or use.

With respect to bioremediation agents like OSE-II, EPA in conjunction with the U.S. Coast Guard, collaborated with scientists from the National Oceanic and Atmospheric Administration (NOAA) and the Deepwater Horizon Science and Engineering Review Team (H-SERT) which consists of scientists from Louisiana State University, University of Louisiana at Lafayette, University of New Orleans, Tulane University, and Southern University on the use of innovative technologies to remediate the Gulf of Mexico region. This team recommended that bioremediation would provide limited value for oil discharges in general. There may be specific situations where bioremediation might be considered after a thorough evaluation of the site-specific conditions (including oil composition and concentrations and an assessment of nutrient and oxygen limitations) and limited testing to ensure the benefits outweigh any risks before a decision to implement such as course of action is made. This finding is explained further in a letter of July 2010 which can be found at <http://www.epa.gov/bpspill/bioremediation-letter-20100712.pdf>.

Again, thank you for your letter. If you have further questions, please contact Craig Matthiessen, Director of the Regulations and Policy Development Division in EPA's Office of Emergency Management, at (202) 564-8016.

Sincerely,

A handwritten signature in black ink that reads "Mathy Stanislaus". The signature is written in a cursive, slightly slanted style.

Mathy Stanislaus  
Assistant Administrator